

90-Day Summary Report for Child Death, Serious Injury or Egregious Incident

Case Tracking

Number: 110716DSP-Adams-130 Agency: Adams County Health and Human Services Department

Child Information: Age: 5 Years Gender: Female Male
Race or Ethnicity: Caucasian
Special needs: None

Child's Residence: In-home Out-of-home care placement

Date of Incident: July 16, 2011

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:

On July 16, 2011, the child was taken by ambulance to the local hospital after the babysitter's boyfriend found him lethargic and having difficulty breathing. He was then med-flighted to another hospital. The child's injuries included bruising to his penis and buttocks, subdural, subarachnoid and retinal hemorrhages, brain tissue injury resulting in loss of motor coordination on his left side, compressed spinal fracture, tailbone injury, and a hyperflexion injury. The child was also diagnosed as "profoundly traumatized." The babysitter and her boyfriend denied that the child was injured while in their care. The child has difficulty talking about the incident, but did report that the babysitter's boyfriend pinched his penis while holding him down in a cold shower, spanked him and threw him six times. The tailbone injury occurred from being thrown backward with force against a hard object, and the hyperflexion injury occurred from flexing forward with violent force. Other children in the home at the time reported hearing the child being slapped. It is believed that the injuries are related to the child not being potty trained and having accidents.

The boyfriend was criminally charged with Child Abuse-Intentional Causation of Great Bodily Harm, Child Enticement - Causing Bodily or Mental Harm, Causing Mental Harm to a Child, and Child Abuse-Intentional Causation of Harm. The boyfriend was found not guilty of Child Abuse-Intentional Causation of Great Bodily Harm, Child Enticement - Causing Bodily or Mental Harm, Causing Mental Harm to a Child, and Child Abuse-Intentional Causation of Harm.

Findings by agency, including material circumstances leading to incident:

The agency substantiated physical abuse to the child by the babysitter's boyfriend. Maltreatment to the child by the babysitter was unsubstantiated. The mother dropped off her child at day care on July 16, 2011, and the babysitter left the child and three other children with her boyfriend while she went shopping. Reportedly, the boyfriend injured the child after the child wet his pants. The mother reported that in the week prior to the incident, the child came home from day care with bruises. She also reported that approximately 1 1/2 weeks prior, he became "clingy" and did not want to go to the babysitter's home, claiming that the boyfriend "doesn't like me."

Additional information for children in home:

Description of the child's family:

At the time of the incident, the child resided with his mother.

Yes No **Statement of Services:** Were services under ch. 48 or ch. 938 being provided to the child, family or alleged maltreater at the time of the incident, including any referrals received by the agency or reports being investigated at time of incident?

If "Yes", briefly describe the type of services, date(s) of last contact between agency and recipient(s) of those services, and the person(s) receiving those services:

N/A

Summary of all involvement in services as adults under ch. 48 or ch. 938 by child's parents or alleged maltreater in the previous five years:

N/A

Summary of actions taken by the agency under ch. 48, including any investigation of a report or referrals to services involving the child, any member of the child's family living in this household and the child's parents and alleged maltreater at the age of 18 years or older:

N/A

Summary of any investigation conducted under ch. 48 or ch. 938 and any services provided to the family since the date of the incident:

Another county agency first received the CPS Report about injuries to the child on July 16, 2011, that allegedly occurred at the babysitter's home in their county. This agency referred the CPS Report to the agency in which the child resided with his mother (Adams County). This agency screened-in the CPS Report and conducted a Secondary Assessment, substantiating physical abuse to the child by the babysitter's boyfriend. The child will need extensive services due to the severity of the injuries. The mother is voluntarily working with the agency and receiving ongoing case management services.

The other county agency screened-in the report of the child's injuries as a child welfare services report to assess the babysitter's family located in their county. The agency conducted a child welfare assessment, determined the babysitter's child safe in her care, referred the family to community services and closed the case.

Additional information for children in out-of-home (OHC) placement at time of incident:

Description of the OHC placement and basis for decision to place child there:

N/A

Description of all other persons residing in the OHC placement home:

N/A

Licensing history: Including type of license, duration of license, summary of any violations by licensee or an employee of licensee that constitutes a substantial failure to protect and promote the welfare of the child.

N/A

*** Summary of actions taken by agency in response to the incident:**

The agency screened-in and investigated the report of injuries to the child. Maltreatment of physical abuse by the boyfriend to the child was substantiated. The agency collaborated with law enforcement and medical professionals to complete the Initial Assessment. The agency continued to provide ongoing case management services to the mother and the child.

The other county agency conducted a child welfare assessment on the babysitter's family. The agency assessed the babysitter's child safe in the babysitter's care, referred the family to community services, and closed the case.

***Summary of policy or practice changes to address identified issues:**

The other county agency was not in compliance with the CPS Access and Initial Assessment Standards and the Safety Intervention Standards. The DSP worked with that agency to address the identified issues. The agency participated in trainings to address the practice areas identified.

***Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues:**

None

Statement of Completion:

Yes No This 90-day summary report completes the Division of Safety and Permanence (DSP) review of this case.

* If a full report including agency actions, changes in policies or practices and recommendations for further changes was not completed within 90 days, the DSP will complete and submit the final summary report within 6 months.

This 90-Day Summary Report was previously delayed. DSP did determine that releasing the summary report would jeopardize an ongoing criminal/civil investigation/proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.